

When Recorded Mail To:  
Town of Prescott Valley  
7501 E. Civic Circle  
Prescott Valley, AZ 86314

**TOWN OF PRESCOTT VALLEY  
SEWER EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid to:

**SUNGATE VILLA II/PRESCOTT VALLEY LP  
4745 N. 7<sup>TH</sup> STREET, SUITE 110  
PHOENIX, AZ. 85014**

hereinafter referred to as GRANTOR, by the Town of Prescott Valley, a municipal corporation of Arizona, its successors and assigns, hereinafter referred to as GRANTEE, the receipt of which consideration is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer, and convey unto the GRANTEE, its successors and assigns, a perpetual easement with the right to survey, erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove public utility improvements and facilities, together with the manhole structures, pipelines, conduits, poles together with the attendant customary uses, and all other necessary and appurtenant structures and facilities upon, along, over, under, across and through the land of the GRANTOR located in Yavapai County, Arizona, said land being more particularly described as follows:

**SEE EXHIBIT 'A'**

together with the right of full and free ingress and egress for the purposes herein specified, and the right to authorize, permit and license public utility companies to use the easement jointly with the GRANTEE for their utility purposes.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, its heirs, successors, and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTOR, its heirs, successors and assigns.

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**Exempt from Affidavit of Value pursuant to ARS §11-1134(A)(2) and (3)**

GRANTOR shall not erect, construct or permit to be erected or constructed, any building or other structure; shall not plant any trees; shall not drill any well; shall not install any fences; and shall not alter ground level by cuts or fills within the limits of said easement without the express written permission of the GRANTEE.

GRANTEE shall have the right to erect, maintain and use gates in all fences which now cross said easement and trim, cut, and clear away trees or brush whenever in its judgment the same shall be necessary for the convenience and safe exercise of the rights hereby granted.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

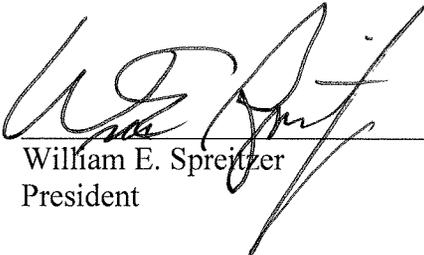
IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 22<sup>nd</sup> day of June, 2010.

GRANTOR:

SUNGATE VILLA II/PRESCOTT VALLEY LP,  
an Arizona limited partnership

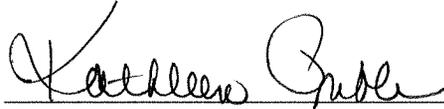
By: WESCAP Sungate Villa II LLC,  
an Arizona limited liability company  
Its: General Partner

By: WESCAP Investments, Inc.,  
an Arizona corporation  
Its: Sole Member

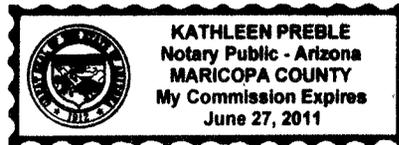
By:   
\_\_\_\_\_  
William E. Spreitzer  
Its: President

STATE OF ARIZONA     )  
                                  ) §  
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of June, 2010, by William E. Spreitzer, President of WESCAP Investments, Inc., an Arizona corporation, the Sole Member of WESCAP Sungate Villa II LLC, an Arizona limited liability company, the General Partner of Sungate Villa II/Prescott Valley LP, an Arizona limited partnership, the GRANTOR.

  
\_\_\_\_\_  
Notary Public

June 27, 2011  
My Commission Expires:



**20.00' WIDE SEWER MAIN EASEMENT**

AN EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF SEWER FACILITIES OVER, UNDER, ACROSS, AND THROUGH A PORTION OF THAT CERTAIN PARCEL DESCRIBED IN BOOK 4487 OF DEEDS, PAGE 854, AND EXCEPTING BOOK 4640 OF DEEDS, PAGE 686, YAVAPAI COUNTY OFFICIAL RECORDS, SIUTATE IN THE NORTH HALF OF SECTION 14, TOWNSHIP 14 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, TOWN OF PRESCOTT VALLEY, YAVAPAI COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 20.00' WIDE EASEMENT LYING 10.00' BOTH SIDES OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN BOOK 4487 OF DEEDS, PAGE 854, YAVAPAI COUNTY OFFICIAL RECORDS, SAID POINT BEING MARKED BY A ½" REBAR WITH CAP RLS 33861; THENCE ALONG THE EASTERLY SIDE LINE OF SAID PARCEL, S.00°26'02"W., A DISTANCE OF 54.87 FEET TO THE POINT OF BEGINNING;

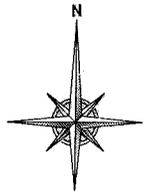
THENCE DEPARTING FROM SAID EASTERLY SIDE LINE, N.84°38'30"W., A DISTANCE OF 96.92 FEET;

THENCE N.89°55'44"W, A DISTANCE OF 360.31 FEET TO A POINT OF ENDING, SAID POINT LIES ON THE EASTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN BOOK 4640 OF DEEDS, PAGE 686, YAVAPAI COUNTY OFFICIAL RECORDS, FROM WHICH THE NORTHEAST CORNER OF SAID PARCEL BEARS N.00°03'37"E, A DISTANCE OF 44.89 FEET.

THE SIDE LINES OF SAID EASMENT ARE LENGTHENED OR SHORTENED TO BE CONTIGUOUS WITH THE WEST AND EAST LINES OF THE ENCUMBERED PARCEL.

CONTAINING 9,144.59 SQUARE FEET MORE OR LESS.

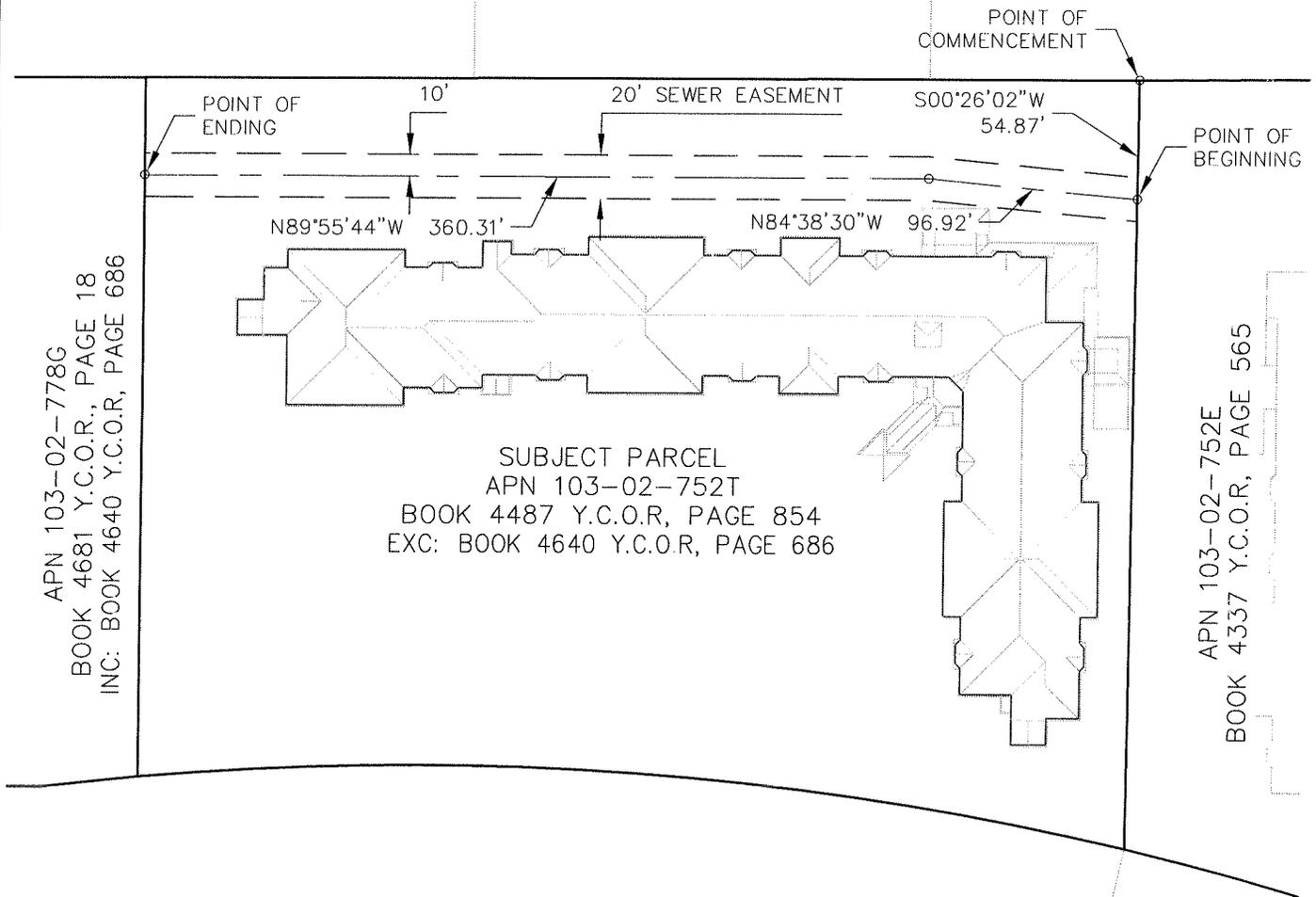
**EASEMENT EXHIBIT OVER A PORTION OF  
 APN 103-02-752T BEING RECORDED IN BOOK 4487 OF DEEDS,  
 PAGE 854, AND EXCEPTING BOOK 4640, PAGE 686,  
 YAVAPAI COUNTY OFFICIAL RECORDS**  
 SITUATE IN SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 WEST  
 GILA AND SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA



APN 103-02-730L

APN 103-02-730E

APN 103-02-751E

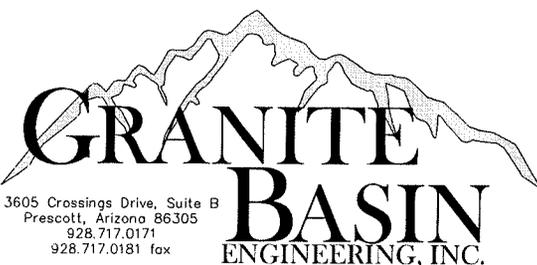


APN 103-02-778G  
 BOOK 4681 Y.C.O.R., PAGE 18  
 INC: BOOK 4640 Y.C.O.R., PAGE 686

APN 103-02-752E  
 BOOK 4337 Y.C.O.R., PAGE 565

SUBJECT PARCEL  
 APN 103-02-752T  
 BOOK 4487 Y.C.O.R., PAGE 854  
 EXC: BOOK 4640 Y.C.O.R., PAGE 686

APN 103-02-779



3605 Crossings Drive, Suite B  
 Prescott, Arizona 86305  
 928.717.0171  
 928.717.0181 fax

**SEWER MAIN  
 EASEMENT EXHIBIT  
 APN 103-02-752T**

SUNGATE VILLA II /  
 PRESCOTT VALLEY LP  
 4745 N. 7TH ST, SUITE 110  
 PHOENIX, AZ 85014

GBE JOB #: 07101

DRAWN BY: BS

DATE: APRIL 2010

NTS